APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,184	10/10/2001	Roger Kitain	9803-108-999	4486

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EXAMINER
LU, KUEN S

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07 March 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendments

1. The Action is responsive to the Applicant's Amendments, filed on March 7, 2005.

2. As for the Applicant's Remarks on claim rejections, filed on March 7, 2005, has been

fully considered by the Examiner, please see discussion in the section *Response to*

Arguments, following the Office Action for Final Rejection (hereafter "the Action").

Please note the Examiner maintained the same grounds as set forth in the Office Action

for non-Final Rejection, dated November 29, 2004, for claims rejection in the Action

which is shown next.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language..

4. Claims 1-7 and 10-16 are rejected under 35 U.S.C. 102(e) as anticipated by

IBMLdap (IBM LDAP Implementation Cookbook, Johner et al., June 1999, IBM,

hereafter "IBMLdap").

As per claims 1, 10 and 14, IBMLdap teaches the following:

"creating a template to define the directory comprising one or more definitions

corresponding to one or more object types, wherein for a given one of said object types,

said corresponding definition identifies zero or more others of said object types that

should be automatically created and added to the directory whenever said given object

type is added to the directory" at Page 32 where an abstract object class is used as a

template for creating other object classes, including structural object classes and the

object classes (directory entries) are instantiated from structural object classes and at

Pages 163-165 when a new object class (myPerson) is added by the instantiation of

structural object class (person) where its subclasses are automatically added when an

auxiliary object class is selected;

"creating an object of said given type" at Page 165 where a new entry is added with

required and inherited attributes;

"adding said object of said given type to the directory at Page 165 where a object class

myPerson is of the object class person;

"automatically creating zero or more objects of said others of said object types" at

Pages 163-165 where attributes of an object of the object class myPerson is created;

and "adding said zero or more objects to the directory" at Page 165 where the object

with the displayed attributes is added to the directory entry myPerson.

As per claim 2, IBMLdap teaches "zero or more objects of said others of said object

types are added as children to said object of said given type in the directory" at Page

165 where object class javaObject of other object type can be selected to add to the

object class person.

As per claims 3 and 11, IBMLdap teaches "one or more object types are Java object

types" where IBM JNDI classes are Java object type.

As per claims 4 and 12, IBMLdap teaches "one or more definitions comprise one or more attributes" at Page 165 where the attributes are inherited from the structural object class person.

As per claims 5 and 13, IBMLdap teaches "one or more attributes have values" at Page 165 where six of the eight attributes under display have values.

As per claim 6, IBMLdap teaches the following:

"selecting one of said definitions that corresponds to said given type of said object that is created" at Page 165 where the structural object class person corresponds to the object class myPerson as created; and "

"reading said zero or more others of said object types from said selected definition" at Page 165 where a plurality of auxiliary object classes (IGNPerson, javaObject, etc) are from the structural object class person.

As per claim 7, IBMLdap teaches "template is created using a markup language" at Page 133 where IBM LDAP are installed, configured, administrated, managed and development programmed by using HTML and template is part of the LDAP definition as previously described.

As per claim 15, IBMLdap teaches "the step of: deleting said at least one entry from the directory in accordance with said instruction" at Page 200 where ldapdelete is the utility to delete one or more entries from a LDAP directory.

As per claim 16, IBMLdap teaches "one or more instructions comprise one or more definitions corresponding to one or more entry types wherein for a given one of said entry types, said corresponding definition identifies zero or more of said entries that must be added to the directory whenever an entry of said given type is added to the

Directory" at Page 32 where an abstract object class is used as a template for creating

other object classes, including structural object classes and the object classes (directory

entries) are instantiated from structural object classes and at Pages 163-165 when a

new object class (myPerson) is added by the instantiation of structural object class

(person) where its subclasses are automatically added when an auxiliary object class is

selected.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U. S. C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 8-9 are rejected are rejected under 35 U.S.C. 103(a) as being unpatentable

over IBMLdap (IBM LDAP Implementation Cookbook, Johner et al., June 1999, IBM,

hereafter "IBMLdap") as applied to claims 1-7 and 10-14, and further in view of XMLanp

(XML Articles and Papers., January-March 2000, a Google search result, 11/21/2004,

hereafter "AMLanp").

As per claim 8, IBMLdap teaches LDAP template is created by using "a generalized

markup language" at Page 133 where IBM LDAP are installed, configured,

administrated, managed and development programmed by using HTML and template is part of the LDAP definition as previously described.

IBMLdap does not specifically teach the markup language is "an extensible markup language".

But, XMLanp teaches Novell uses "DirXML uses LDAP to connect to other directories and XML to communicate between directories..." at Page 13.

It would have been obvious to one having ordinary skill in the art at the time of the Applicant's invention was made to combine XMLanp's teaching with IBMLdap's by using XML for development, configuration and management of LDAP product because the combination would have allowed developers of IBMLdap to utilize XML, a favorite language among corporations for linking applications with trading partners. Please further refer to the backgrounds of the inventions of the two references.

AS PER CLAIM 9, the combined XMLanp-IBMLdap reference teaches the markup language is "an extensible markup language" at Page 13 as previously described.

7.   The prior art made of record

U.   IBM LDAP Implementation Cookbook, Johner et al., June 1999, IBM

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

V.   XML Articles and Papers, January-March 2000, a Google search result, 11/21/2004

A.   U.S. Patent   6,484,177

B.   U.S. Publication   2002/0147857

Response to Arguments

8. The Applicant's arguments filed on March 7, 2005 have been fully considered but

they are not persuasive, for the Examiner's response, please see discussion below.

a). At Pages 5-6, concerning independent claims 1, 10 and 14, the Applicant argued

that IBMLdap reference does not teach each limitation of the claims and further argued

that the reference does not teach managing a directory.

As to the above arguments, the Examiner respectfully submits that the IBMLdap

reference, as a cookbook for LDAP implementation, particularly teaches the limitation of

utilizing abstract object class as a template for creating other object classes, including

structural object classes and the object classes (directory entries) are instantiated from

structural object classes and when a new object class is added by the instantiation of

structural object class where its subclasses are automatically added when an auxiliary

object class is selected. Each section of the IBMLdap reference cited is provided

teaching for the specific limitation. As summary, the combination of the teachings

provided for the limitation provides a teaching for managing directory.

b). At Page 7, concerning claims 8-9, the Applicant argued that the Examiner failed to

establish *prima facie* case of obviousness in combining XMLanp and IBMLdap

references to provide the teachings for claims 8 and 9.

As to the above argument b), the Examiner respectfully submits that in responding to

applicant's argument that there is no suggestion to combine the references, the

examiner recognizes that obviousness can only be established by combining or

modifying the teachings of the prior art to produce the claimed invention where there is

some teaching, suggestion, or motivation to do so found either in the references

themselves or in the knowledge generally available to one of ordinary skill in the art.

See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958

F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious

to one having ordinary skill in the art at the time of the Applicant's invention was made

to combine XMLanp's teaching with IBMLdap's by using XML for development,

configuration and management of LDAP product because the combination would have

allowed developers of IBMLdap to utilize XML, a favorite language among corporations

for linking applications with trading partners.

9. As to dependent claims (2-9), (11-13) and (15-16), which directly or indirectly

depend on independent claims 1, 10 and 14, respectively, the Examiner applies the

above stated arguments for the respective claim upon which they depend.

10. In light of the forgoing arguments, the 35 U.S.C. ξ 102 rejections for claims 1-7 and

10-16 and 35 U.S.C. ξ 103 rejections for claims 8-9 is hereby sustained.

Conclusions

11. Applicant's amendment necessitated the new grounds of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

ξ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1 .136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1 .136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Contact Information

12. Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Mohammad Ali whose telephone number is .

(571) 272-4105. The examiner can normally be reached on Monday-Thursday

(7:30 am-6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, John E Breene can be reached on (571) 272-4107. The

fax phone number for the organization where this application or proceeding is

assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR

only.

For more information about the PAIR system, see http://pair-direct.uspto.gov.

Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kuen S. Lu

Patent Examiner

May 8, 2005

Mohammad Ali

Primary Examiner

May 8, 2005